

**ANNUAL PROTECTION & ADVOCACY OF INDIVIDUAL RIGHTS (PAIR)
PROGRAM PERFORMANCE REPORT**

State: INDIANA
Fiscal Year: 2008

DESIGNATED AGENCY IDENTIFICATION

Name: Indiana Protection and Advocacy Services
Address: 4701 N. Keystone Ave.
Suite 222
City: Indianapolis
State: IN
Zip: 46205
E-mail Address: djdial@ipas.in.gov
Website Address: <http://www.in.gov/ipas>
Phone: 317-722-5555
TTY Phone: 317-722-5563
Toll-free Phone: 800-622-4845
Toll-free TTY Phone: 800-838-1131
Fax: 317-722-5564
Name of P&A Executive Director: Thomas Gallagher
Name of PAIR Director/Coordinator: Debra J. Dial
Person to contact regarding report: Debra J. Dial
Contact Person phone: 800-622-4845
Ext. 230

PART I. NON-CASE SERVICES:

A. Individual Information and Referral Services (I&R): (multiple responses not permitted.)

- | | |
|--|-----|
| 1. Individuals receiving I&R within PAIR priority areas | 506 |
| 2. Individuals receiving I&R outside PAIR priority areas | 60 |
| 3. Total individuals receiving I&R (lines A1 + A2) | 566 |

B. Training Activities:

- | | |
|--|-------|
| 1. Number of trainings presented by PAIR staff | 57 |
| 2. Number of individuals who attended training (approximate) | 5,665 |
- Describe the trainings presented by PAIR staff. Be sure to include information about the topics covered, the training methods used, and the purpose for the training. Use separate sheets if necessary.

10/16/07, Transition Partners of Northeast Indiana Transition Fair. Exhibit booth and sponsorship of transition fair to students, teachers, and parents in Fort Wayne. There were approximately 250 in attendance.

10/16/07, Evansville State Hospital. New Staff Orientation. Presentation regarding treatment rights of individuals in a mental health institution and IPAS general overview. There was 1 person in attendance.

10/17/07, PEAK Community Services. Presentation. 50 attended.

10/19/07, Lake County Transition Development Coalition. Exhibit booth for transition event. There were 550 in attendance.

10/19/07, Lake County Transition Development Coalition. Presentation regarding the rights of students to transition services including services from VRS as well as from the school system in setting up transition plans and services. This session included parents and teachers only. Information provided to parents on how to advocate for educational/transition services while their children are still in school and how to access VR services. There were 45 in attendance.

10/19/07, Lake County Transition Development Coalition. A short presentation regarding rights of

students to transition, Lake County Transition Development Coalition. Approximately 500 individuals in attendance.

10/22/07-10/23/07, Indiana Coalition Against Domestic Violence. Exhibit. There were 400 in attendance.

10/23/07, University of Southern Indiana □ Social Work class. Presentation to 20 students regarding the services at IPAS.

10/26/07, Bartholomew School Corporation. Exhibit. Disseminated transition materials to high school students and answered questions they had regarding future planning. Approximately 200 in attendance.

10/30/07, Evansville State Hospital. New Staff Orientation. Presentation regarding treatment rights of individuals in a mental health institution and IPAS general overview. There were 2 persons in attendance.

11/08/07, ARC Conference. Exhibit Booth. Approximately 200 individuals in attendance.

11/13/07, Children's Bureau. Presentation □Are Children Getting What they are Entitled To?□ regarding disability rights. Approximately 29 individuals in attendance.

11/15/07, Lafayette School Corporation. Exhibit booth at transition fair. Approximately 100 individuals in attendance.

11/27/07, Indiana Governor's Council for Persons with Disabilities Conference. Exhibit booth. Approximately 400 in attendance.

2/04/08, Blue River Parents Group, General overview of IPAS services and programs to parents group. 45 individuals in attendance.

3/12/08, Gibson Co. Annual Agency Conference. Topic was □What Advocacy Means and What Indiana Protection and Advocacy Does□. There were 70 individuals in attendance.

3/12/08, Education Summit for Juvenile Detention. Overall description of services provided by IPAS specific to the Juvenile Detention Centers. There were 7 in attendance.

3/24/08, Lebanon High School Transition Fair. Display booth with materials regarding special education, transition, voting access to assistive technology and the appeal process. There were 40 in attendance.

4/9/08, Gallahue Mental Health Center. Presentation regarding IPAS and patient rights. 22 attended.

4/10/08, Transition Fair at Greencastle High School. Display booth with materials regarding special education and transition for students with disabilities and their families. 75 in attendance.

4/16/08, A.S.K. (About Special Kids). Presentation regarding IPAS agency and intake process. 1 in attendance

4/16/08, Perry Township Transition Fair. Provided information regarding transition, special education, VR, SSA benefits, disability rights and IPAS. 100 in attendance.

4/16/08, PATINS Expo. Presentation: Equal Access to Assistive Technology: Speak Out Negotiate and Appeal. Presentation to family members, individuals with disabilities and service providers. 30 in attendance.

4/16/08, PATINS Expo. Exhibit for Expo. 400 in attendance.

4/16/08, Easter Seals ARC/Community Living Program. Overview of IPAS priorities and objectives, intake process, and discussion of how to work together. 1 in attendance

4/17/08, InSource. Parent Group including parents of children in foster care, 504 overview in relationship to Education at the schools, parental rights, and process to resolve differences. 19 in attendance.

4/24/08, Brownsburg High School Transition Fair. Booth. General information regarding IPAS. 60 in attendance.

5/09/08, Sycamore Services Parent Group and Speedway United Methodist Church Parent Group. Presented to parent groups regarding IPAS services, disability rights and the appeals process. 50 in attendance.

5/12/08, East Allen County School Corporation. IPAS goals and objectives, how organizations can work together. 1 in attendance

5/14/08, Monroe County Special Education Transition. Booth at Ivy Tech Bloomington Indiana for transition fair. 50 in attendance.

5/17/08, Strengthening Our Roots. Exhibit booth. 100 in attendance.

5/22/08, Commission on Disproportionality in Youth Services. Presentation. 40 attended.

6/5/08, National Disability Rights Network Annual Conference. Presentation. There were 26 in attendance.

6/17/08, Gibson County Community Agency Meeting. Presented on IPAS services, special education and future training for parents regarding disability rights. 12 in attendance.

6/18/08, Juvenile Judges Conference. Presentation □The Forgotten Children: Supporting Youth with Disabilities in Foster Care□ There were 14 in attendance.

6/20/08, 6th Annual Conference on Health, Disability and the Law. □Emergency Disaster Preparedness for Children with Disabilities." Exhibit for 80 individuals.

6/24/08, Evansville ARC high school class. Presentation on self advocacy. There were 5 in attendance.

7/08/08, Black Expo. Exhibit Booth. Approximately 500 in attendance.

7/24/08, EARC Boys High School Class. Presentation regarding IPAS services and self advocacy. 7 in attendance.

7/28/08, Cummins Mental Health Hoosier House. Presentation on IPAS services and patient rights. 9 in attendance.

7/28/08, APS Regional Office Marion County. Presentation on IPAS services. 4 in attendance.

7/29/08, APS Madison County APS Regional Office. Presentation on IPAS services. 3 in attendance.

7/29/08, Marion County Juvenile Detention Center. Presentation regarding IPAS services and abuse/neglect. 1 in attendance.

7/29/08, Marion County Juvenile Detention Center. Overview of IPAS services and abuse/neglect specific to the juvenile detention center. 1 in attendance.

7/29/08, Evansville State Hospital. New staff orientation. Discussed treatment rights and IPAS

services. 2 in attendance.

7/29/08, Lawrenceburg Community Mental Health Center Day Program. Presentation on IPAS services and patient rights. There were 16 in attendance.

8/5/08, Evansville State Hospital. New staff orientation. Discussed treatment rights and IPAS services. 7 in attendance.

8/6/08, 2008 Statewide Transition Conference. Exhibit. 550 in attendance.

8/07/08, Special Education Forum for Monroe Co. Schools. 20 in attendance.

8/25/08, Friends Self Advocates Group. Presentation on the IPAS Commission. 40 in attendance.

9/12/08, Emergency Preparedness Vulnerable Populations Conference. 75 in attendance.

9/13/08, Debra Corn Foster Parent Training, Presentation on Voting rights. 25 attended.

9/17/08, IARCCA Conference. Presentation: The Forgotten Children; A Case for Action. 25 in attendance

9/24/08, Insource. Presentation regarding 504 of the Rehab Act and education, parental rights. 11 in attendance.

9/26/08, INDATA Conference. Presentation Recreation/Leisure, Festivals, Temporary Events. 20 in attendance.

9/26/08, INDATA Conference. Exhibit. 350 in attendance.

9/30/08, Evansville State Hospital. New staff orientation. Discussed treatment rights and IPAS services. 4 in attendance.

C. Information Disseminated to the Public:

1. Radio and TV appearances by PAIR staff	0
2. Newspaper/magazine/journal articles	534,702
3. PSAs/videos aired	0
4. Hits on the PAIR/P&A website	60,144
5. Publications/booklets/brochures disseminated	15,100
6. Other (specify separately)	0

PART II. INDIVIDUALS SERVED:

A. Individuals Served (Count individual once per FY. Multiple counts not permitted for lines A1 through A3.)

1. Individuals still served as of October 1 (carryover from prior FY)	23
2. Additional individuals served during the year	59
3. Total individuals served (lines A1 + A2)	82
4. Individuals w. more than 1 case opened/closed during the FY. (Do not add this number to total on line A3 above.)	8

B. Individuals served as of September 30 (carryover to next FY may not exceed total on line II. A.3 above) 39

C. Problem Areas/Complaints of Individuals Served:

1. Architectural accessibility	15
2. Employment	0
3. Program access	10
4. Housing	5
5. Government benefits/services	3
6. Transportation	3

7.	Education	31
8.	Assistive technology	2
9.	Voting	0
10.	Health care	4
11.	Insurance	0
12.	Non-government services	0
13.	Privacy rights	0
14.	Access to records	0
15.	Abuse	13
16.	Neglect	4
17.	Other	1
D.	Reasons for Closing Individual Case Files	
1.	Issues resolved partially or completely in individual favor	19
2.	Other representation found	2
3.	Individual withdrew complaint	9
4.	Appeals unsuccessful	0
5.	PAIR Services not needed due to individual's death, relocation etc.	0
6.	PAIR withdrew from case	4
7.	PAIR unable to take case because of lack of resources	0
8.	Individual case lacks legal merit	13
9.	Other	2
	(Please explain on separate sheet.)	
	1. Client failed to cooperate with IPAS.	
	2. IPAS informed the client of his right to file a complaint with Fair Housing and the client reportedly plans to do so.	
E.	Intervention Strategies Used in Serving Individuals: (List the highest level of intervention used by PAIR prior to closing each case file.)	
1.	Technical assistance in self-advocacy	9
2.	Short-term assistance	17
3.	Investigation/monitoring	14
4.	Negotiation	3
5.	Mediation/alternative dispute resolution	4
6.	Administrative hearings	0
7.	Litigation (including class actions)	2
8.	Systemic/policy activities	0
PART III. STATISTICAL INFORMATION ON INDIVIDUALS SERVED:		
A.	Age of Individuals Served as of October 1. (Multiple responses not permitted.)	
1.	0 - 4	1
2.	5 - 22	32
3.	23 - 59	40
4.	60 - 64	3
5.	65 and over	6
B.	Gender of Individuals Served: (Multiple responses not permitted)	
1.	Females	24
2.	Males	58
C.	Race/Ethnicity of Individuals Served: (Individual may be counted more than once)	
1.	White	58
2.	Black or African American	22
3.	American Indian or Alaska Native	0
4.	Asian	0
5.	Native Hawaiian or other Pacific Islander	0
6.	Hispanic or Latino	1

7.	Race/ethnicity unknown	1
D.	Living Arrangements of Individuals Served: (Multiple responses not permitted.)	
1.	Independent	28
2.	Parental or other family home	34
3.	Community residential home	0
4.	Foster care	0
5.	Nursing home	0
6.	Public institutional living arrangement	1
7.	Private institutional living arrangement	1
8.	Jail/prison/detention center	18
9.	Homeless	0
10.	Other living arrangements	0
11.	Living arrangements not known	0
E.	Primary Disability of Individuals Served: (Identify the individual's primary disability, namely the one directly related to the issues/complaints)	
1.	Blind/visual impairment	4
2.	Deaf/hard of hearing	8
3.	Deaf-blind	0
4.	Orthopedic impairment	20
5.	Mental illness	4
6.	Substance abuse	0
7.	Mental retardation	0
8.	Learning disability	24
9.	Neurological impairment	14
10.	Respiratory impairment	2
11.	Heart/other circulatory impairment	1
12.	Muscular/skeletal impairment	1
13.	Speech impairment	0
14.	AIDS/HIV	1
15.	Traumatic brain injury	2
16.	Other disability	1

PART IV. SYSTEMIC ACTIVITIES AND LITIGATION:

A.	Systemic Activities:	
1.	Number of policies/practices changed as a result of non-litigation systemic activities	0
2.	Number of individuals potentially impacted by policy changes Describe your systemic activities. Be sure to include information about the policies that were changed and how these changes benefit individuals with disabilities. Include case examples of how your systemic activities impacted individuals served. (Attach separate sheets if necessary.)	0
	N/A	
B.	Litigation/Class Actions:	
1.	Number of individuals potentially impacted by changes as a result of PAIR litigation/class action efforts	0
2.	Number of individuals named in class actions Describe your litigation/class action activities. Explain how individuals with disabilities benefited from your litigation activities. Be sure to include case examples that demonstrate the impact of your litigation. (Attach separate sheets if necessary.)	0
	N/A	

PART V. PAIR'S PRIORITIES AND OBJECTIVES:

A. Priorities and Objectives for the Fiscal Year Covered by this Report:
For each of your PAIR program priorities for the fiscal year covered by this report, please:

1. Identify and describe priority.
2. Identify the need, issue or barrier addressed by this priority.
3. Identify and describe indicators PAIR used to determine successful outcome of activities pursued under this priority.
4. Explain whether pursuing this priority involved collaborative efforts by other entities. If so, describe this collaboration.
5. Provide the number of cases handled under the priority. Indicate how many of these, if any, were class actions.
6. Provide at least one case summary that demonstrates the impact of the priority.

Priority 1: Reduce or eliminate abuse and neglect of individuals

Presenting Advocacy Need: Individuals with disabilities continue to be physically, mentally, sexually, and financially abused or sustain injury in these areas through neglect.

Collaborative Efforts by Other Entities: There were no collaborative efforts with other entities.

Number of Cases Handled under the Priority: 15

Representative Case:

□Allen□ contacted IPAS in February 2008, requesting assistance in obtaining Chronic Care status at Westville Correctional Facility so that he would not be charged for regular maintenance medications and follow up appointments for his disabling, chronic conditions of Rheumatoid Arthritis and other inflammation. IPAS□ fact finding showed that if DOC medical staff considers an offender to have a prolonged illness which requires regular and/or frequent follow up, said offender will be considered "Chronic Care" and staff will initiate regular medical care at no cost to the offender. Allen was not considered such, despite his rheumatoid arthritis which requires that he take anti inflammatory on a regular basis and be seen whenever it worsens; therefore, IPAS worked with Correctional Medical Services administrators to have Allen evaluated for Chronic Care. Per the results of the evaluation, Allen was eligible for Chronic Care and, per policy, was provided with no cost medication and regular, staff-initiated doctor appointments.

Indicators:

Objective 101: Review allegations of abuse or neglect on behalf of ten (10) individuals with disabilities.

Fifteen clients were served under this objective. (This included seventeen service requests as two of those clients had two service requests each under this objective. Each client had one of service request close and had one service request carry over into 2009. A third client has one service request under this objective and one service request under objective 201. Both service requests remain open.) Thirteen cases were closed throughout the year with four cases carrying over into the 2009 fiscal year. An example of a case outcome is as follows:

□Jake□ resided at Putnamville Correctional Facility (□PCF□). He had a bullet in his leg that was not removed prior to his incarceration. Once placed at PCF, he was not given medical treatment for the wound. He contacted IPAS requesting assistance to access medical services from PCF for treatment of the wound. Through IPAS advocacy, the Medical Director for Indiana Department of Corrections personally came out to PCF and surgically removed the bullet and fragments from Jake□s leg. IPAS continued to monitor this case for a month after surgery to assure adequate treatment and recovery.

Objective 102: Monitor to document Adult Protective Services involvement in cases of abuse and neglect reported to IPAS.

Beginning January 2006, when IPAS opened an alleged abuse/neglect case at a facility, advocacy staff was directed to gather information concerning the facility's internal responses to the abuse/neglect allegations. IPAS hypothesized that most facilities had a requirement via their accreditation, certification or statutory responsibilities to conduct internal investigations. IPAS

advocates gathered this information to create an objective and systemic review of all of the facilities' internal responses to abuse/neglect allegations.

Over the run of the 24 months of data collection, sixteen incidents were reviewed by IPAS/PAIR. Only one (6%) caused a facility to initiate an internal review. None of the incidents were perceived as severe enough (as defined by statute) for mandatory reporting to Adult Protective Services (APS).

Possible reasons for the lack of facility action are that the clients were not accessing the internal complaint process prior to contacting IPAS or the facilities had no formal method to deal with the issues being raised by the clients, hence the contact to IPAS for assistance and potential relief. This lack of action by the facilities to deal with the abuse/neglect issues could be as basic as a difference in perceived definitions of abuse, neglect, complaint and grievance between IPAS, the facilities and APS.

Additionally over the course of the year, IPAS conducted outreach to APS both in mailings describing IPAS' role in abuse and neglect allegations and personal contacts by the locally assigned IPAS Advocate. In both the mailing and visits by IPAS Advocates, APS has been asked to refer to IPAS abuse and neglect allegations which meet IPAS objectives and APS is not able to review.

Priority 2: Reduce or eliminate discrimination or the denial of rights due to disability.

Presenting Advocacy Need: Disability discrimination prevents individuals with disabilities from leading independent and productive lives. There are continual barriers to equal access to protections, services, programs, and facilities for individuals with disabilities. There is also increased emphasis on school discipline; therefore students with disabilities are at increased risk of termination or reduction of their educational services.

Collaborative Efforts by Other Entities: There were no collaborative efforts with other entities.

Number of Cases Handled under the Priority: 68

Representative Case:

Maggie contacted IPAS with a request for assistance to have her driver's license reinstated. Her driver's license had been invalidated due to a seizure condition. She had surgery to correct the condition. After she was seizure-free for six months following the surgery, she approached the Indiana Bureau of Motor Vehicles (BMV) for a reinstatement of the license. Her neurologist cleared her to drive and sent the required documentation to the BMV. The BMV refused to reinstate the license. According to Maggie, the BMV required that a driver remain seizure-free for one year before the license would be reinstated. She reported she was told by the BMV Medical Review Clerk that this one-year requirement was contained within the BMV Medical Review Board Policy and Procedures.

IPAS legal represented Maggie at an administrative hearing on the issue of the arbitrary nature of the automatic one-year wait. The hearing officer found for Maggie. The BMV requested an agency review, at which point the hearing officer's decision was overturned. Ultimately, IPAS legal filed a Petition for Judicial Review. About the time the petition was filed, Maggie's one year waiting period ended and she had her license reinstated. The Deputy Attorney General (DAG) assigned to defend the BMV submitted various Motions to Dismiss the case, one based on the argument that because Maggie received her license, the case was moot. He was unsuccessful in getting the case dismissed. The DAG then approached IPAS counsel to discuss a settlement. Below is the basic content of the settlement agreement.

1. The Bureau of Motor Vehicles will not require an automatic one-year suspension in cases involving a request to reinstate the driver's license of an individual who has experienced a seizure.
2. The Bureau of Motor Vehicles will consider all requests for license reinstatement on a case-by-case basis. While it is the intention of the Bureau to protect the citizens of Indiana by restricting

the license of any driver who presents a threat to the public, each case will be considered on its own merit.

3. The Bureau is committed to assuring the safety of individuals utilizing the roadways of Indiana as well as providing a fair and reasonable review of such cases. In that spirit we offer this proposed settlement to bring this matter to satisfactory resolution.

Both parties ultimately agreed to the terms of the settlement agreement. As the change in the BMV policy resolved all of Maggie's issues that IPAS agreed to address, the IPAS case was closed.

As a result of this case, all individuals with issues relating to seizure activity who seek reinstatement of their driver's license will not be subjected to an arbitrary policy restricting this reinstatement.

Indicators:

Objective 201: Review (25) allegations of discrimination on behalf of individuals who have been denied services under the ADA Title 2 and 3, or Fair Housing.

Thirty seven individuals were served under this objective during the fiscal year. (This included forty-seven service requests as one client had two service requests under this objective, a second client had two service requests under this objective, and a third client had four service requests under this objective. A fourth client had one service request under this objective and one service request under objective 101. Both remain open into the 2009 fiscal year.) Fifteen cases were closed with twenty-three cases continuing into the 2009 fiscal year. (Of the clients with multiple service requests under this objective, one client had both service requests remain open into the 2009 fiscal year, one client had all four service requests remain open, and one client had one service close and one service request remain open.) Examples of the case outcomes are as follows:

□Jill□ contacted IPAS because a Psychiatrist office was inaccessible. Jill uses a wheelchair and her Psychiatrist moved to a different office location in an older building. This office has an approximate 9 inch step into the office. Attempts were made by the guardian to address the issue, but the problem was not resolved. IPAS fact-finding evidenced that the building was built before 1992 and had not been renovated and therefore was not ADA non-compliant. IPAS advocacy on the matter resulted in the Psychiatrist agreeing to make needed modifications with future renovation of the building in the next few years.

□Kathy□s□ presenting problem was the physical access needed so Kathy could access the bathroom in her apartment safely and not cause damage to her wheelchair. Kathy was a Section 8 recipient and Section 8 cannot force the apartment to pay for modifications. Additionally, Central Indiana Council on Aging was working on getting funding for the modifications. Based on this fact-finding IPAS found there was no merit for further IPAS action. IPAS provided information on how to self-advocate and information on entitlements for which she is eligible.

IPAS conducted a site review on □Bill□s□ concerns that curb cuts were too far apart in his apartment complex. IPAS found that the apartment complex was built during 2000-2001. It consisted of eight buildings. Each apartment was entered directly from the exterior of the building with four apartments sharing a common sidewalk which would then give access to the parking. Each building had at least one designated handicapped parking space located on a curb cut adjacent to the buildings□ mail boxes. Bill's daughter wanted the facility to create a curb cut on the shortest path to the building. Bill resided in a ground floor apartment, with a side walk that emptied on to the common sidewalk with curb cuts accessible in either direction. IPAS did not find it a violation that the apartments denied a new sidewalk and curb cut at the cost to the complex. IPAS advised Bill about the complaint process for HUD under Fair Housing as this was determined to be a Fair Housing Issue.

Objective 202: Review ten (10) allegations that students with disabilities have had their educational services inappropriately reduced or terminated due to suspension or expulsion and assure their right to receive a Free and Appropriate Public Education.

Eighteen students were served under this objective. Eleven cases were closed with seven cases remaining open. An example of a case outcome is as follows:

□Marge□ contacted Indiana Protection and Advocacy Services□ Protection and Advocacy for Individual Rights Program when her son □Bob□ was expelled from kindergarten. The school completed an expedited evaluation for Special Education services, and a case conference was scheduled to discuss the results. Marge wanted Bob to attend full days of kindergarten. IPAS/PAIR staff attended the case conference with Marge. The case conference committee agreed that Bob was eligible for Special Education services, and an Individualized Education Program was developed. After some discussion, it was agreed that Bob would return to school for half days. After three weeks, an additional hour would be added to his school day. Unfortunately, this additional hour did not occur. IPAS contacted school administrator to discuss this oversight. She apologized and said that she had just recently been told that not everything in the plan had been implemented.

The administrator agreed to provide Extended School Year services before the next school year began. IPAS suggested that this would be a good opportunity for the school to work with Bob on behavior and social skills prior to interacting with everyone else. IPAS informed Marge of the school's offer for an extended school year and strongly recommended that she accept the offer, especially since Bob was out of school for so long this year. The school administrator assured IPAS that Bob's plan will be implemented next school year. As Bob's educational services were on track, IPAS closed the case.

Objective 203: Represent five (5) students in targeted school districts that have been denied educational services or discriminated against under the provision of the Individuals with Disabilities Education Act or Sections 504 and 508 of the Rehabilitation Act of 1973 will be represented.

Eleven students were served under this objective during the fiscal year. One student had two service requests. Seven cases (eight service requests) were closed with four service requests carrying over into the 2009 fiscal year. Examples of outcomes are as follows:

One case was closed after the advocate participated in several case conferences and all parties agreed to an appropriate educational program and placement for the student.

One case was closed after the request for extended school year services was granted.

One case was closed after the Advocate successfully represented the student in the development of an appropriate IEP with placement in the least restrictive environment.

Objective 204: Provide legal representation for up to three (3) select cases to protect the disability rights of individuals through serving as court appointed counsel or guardian ad litem.

Two cases were carried over into the 2008 fiscal year. One individual had two service requests and both service requests were closed when the Court dismissed IPAS as GAL. The second case remains open. IPAS was appointed GAL in a dispute over guardianship. As a new guardian was appointed during this year, IPAS continued to monitor progress during the transition from the prior to the current guardian. No other cases were opened or closed this fiscal year.

Objective 205: Provide advocacy services for three (3) individuals with disabilities that have allegedly been subjected to disability based discrimination where and when it is deemed that the case or situation may have systemic implications.

No specific systemic issue was identified for the fiscal year.

Priority 3: Increase awareness and effective self-advocacy by providing education and training about disability rights and the exercise of these rights.

Presenting Advocacy Need: Individuals with disabilities, their family members and advocates lack information about disability rights, as well as the methods and processes by which these rights can be effectively exercised. This priority focuses on the agency's outreach efforts to individuals with disabilities, their family members, and advocates.

Collaborative Efforts by Other Entities: IPAS collaborated with numerous entities under this education and training priority. Please see the list of trainings under Part I(B) for more specific information.

Number of Cases Handled under the Priority: This priority was created to capture IPAS' education and training efforts. This priority was not designed to focus on individual cases.

Representative Case: Not applicable.

Indicators:

Objective 301: Provide education and training about disability rights and IPAS to individuals with disabilities, parents, guardians, advocates, and/or service program providers.

PAIR staff presented at fifty seven trainings. The list of the individual trainings with specific information on type of training, topics covered, and attendance is found under Part I(B).

Objective 302: Participate on selected committees, groups or task forces that have systemic implications concerning policies and practices affecting the rights of individuals with disabilities.

A collaboration of the Governor's Council for People with Disabilities, Indiana Civil Rights Commission (ICRC), IPAS and the Back Home in Indiana Alliance was formed to further self-determination by promoting choice and control within the area of affordable housing for adults with disabilities and families with children with disabilities. The intent of the collaboration was to further access to affordable and accessible housing for people and to promote fair housing. The project provided public housing education, training and technical assistance for people with disabilities. Steve Gold, a noted civil rights and disability rights attorney, was invited to conduct several trainings and provide technical assistance over the course of a year.

On 5/22/08, the Education and Training Director attended a roundtable discussion with the subcommittee of the Commission on Disproportionality in Youth Services regarding the disproportionate representation of youth of color in the use of services in the area of education. The subcommittee's areas of interest were juvenile justice, child welfare, mental health and education. The Commission will be submitting a report to the General Assembly in October, 2008. The wish of this commission is to make a system change in regards to the disproportionate representation of youth of color in youth services.

IPAS worked with the Indiana Bowling Centers Association (IBCA) and the Bowling Proprietors Association of America (BPAA) to increase awareness of their responsibility to be accessible. IPAS ordered the publication "Accessible Sports Facilities" which has a section regarding bowling alleys. The IBCA agreed to send this publication to all member centers as well as follow up.

An IPAS Advocate was assigned to attend the ADA Steering Committee throughout the year. In the meetings held in October, November and December, the committee discussed upcoming training events, the 07-08 audio conference schedules, and web seminar trainings. They recapped the KEY conference held in September and the Governor's Planning Council Conference held in November and discussed the ADA compliance bus tour and various Great Lake activities, including training to the City of Gary employees as part of a DOJ settlement. The new training series was announced for 2008 from the DBTACS on a variety of topics, the Fall regional meeting on 11/17/07 in Chicago, and 2008 ADA Symposium, May 12-14, St. Louis.

During January 2008, the ADA Steering committee organized a program called "Best Practices in Design." In February the program offered was "Disability, Aging, and Older Workers." The March program was "The Nature and Scope of Discrimination in Hiring Under ADA's Title I." The committee also offered Webinar Trainings on Legal Issues and Accessible IT throughout the

January through March quarter.

During April, May and June, the Committee offered the following ADA Audio Conference and Webinar Series:

" April Program: ☐ There are no IEP's in College ☐

" May Program: ☐ Recruitment and Hiring of People with Disabilities ☐

" June Program: ☐ Accommodating Employees with Psychiatric Disabilities ☐

At the meeting the committee discussed:

" 2008 Community Implementation Grants

" ADA Celebration

" National ADA Symposium

" Sponsorship of ADAPT's 25th Anniversary

" ICOIL and Accessible Meetings

The ADA Anniversary Celebration was held in July. Throughout July, August, and September, the Committee continued to offer 2007-08 ADA Audio Conference and Webinar Series. In August the offered Webinar Program was Serving Customers with Disabilities. The September Webinar programs were Latino Immigrants with Disabilities and Direct Threat/Safety in the Workplace. The Committee also discussed the new sites for the 2008-09 Audio Conferences.

Priority 4: Provide timely and accurate information about disability rights and technical assistance concerning the exercise of these rights.

Presenting Advocacy Need: Individuals with disabilities, their family members and advocates lack information about disability rights, as well as the methods and processes by which these rights can be effectively exercised. This priority focuses on the IPAS' response to individuals who contact the agency.

Collaborative Efforts by Other Entities: Not applicable. Although IPAS staff might refer a caller to another agency or entity that may be more appropriate to address their concern, there is no coordinated plan with any other agency or entity to meet this priority.

Number of Cases Handled under the Priority: As information and referrals are not opened as cases, no cases were opened under this priority.

Representative Case: Not applicable.

Indicators:

Objective 401: Provide accurate information about disability rights and assistance concerning the exercise of these rights.

IPAS responded to 506 (five hundred and six) PAIR related inquiries this fiscal year.

B. Priorities and Objectives for the Current Fiscal Year:

Please include a statement of priorities and objectives for the current fiscal year (the fiscal year succeeding that covered by this report), which should contain the following information:

1. a statement of each priority;
2. the need addressed by each priority; and;
3. a description of the activities to be carried out under each priority.

Priority 1: Reduce or eliminate abuse and neglect of individuals with disabilities.

Presenting Advocacy Need: Individuals with disabilities continue to be physically, mentally, sexually, and financially abused or sustain injury in these areas through neglect

Objectives:

101 Review twenty (20) allegations of abuse or neglect on behalf of individuals with disabilities to ensure that the allegation is reported to the responsible entities and advocate that necessary actions are taken to protect the health, safety, and welfare of the individuals.

Priority 2: Reduce or eliminate discrimination or the denial of rights due to disability.

Presenting Advocacy Need: Disability discrimination prevents individuals with disabilities from leading independent, productive lives. There are continual barriers to equal access to protections, services, programs, and facilities for individuals with disabilities. There is also increased emphasis on school discipline; therefore students with disabilities are at increased risk of termination or reduction of their educational services.

Objectives

201 Review (25) allegations of discrimination on behalf of individuals who have been denied services under the ADA Title 2 and 3, or Fair Housing.

202 Review allegations on behalf of fifteen (15) students where the school, due to a proposed or instituted change of educational placement or suspension or expulsion, has or will reduce educational services and advocate for the restoration of services provided in the least restrictive environment.

203 Provide advocacy services for three (3) individuals with disabilities that have allegedly been subjected to disability based discrimination if it is deemed that the case or situation may have systemic implications.

Priority 3: Increase awareness and effective self-advocacy by providing education and training about disability rights and the exercise of these rights.

Presenting Advocacy Need: Individuals with disabilities, their family members and advocates lack information about disability rights, as well as the methods and processes by which these rights can be effectively exercised. This priority focuses on the agency's outreach efforts to individuals with disabilities, their family members, and advocates.

Objectives:

301 Provide education and training about disability rights and IPAS to individuals with disabilities, parents, guardians, advocates, and/or service program providers.

302 Participate on selected committees, groups or task forces that have systemic implications concerning policies and practices affecting the rights of individuals with disabilities.

Priority 4: Provide timely and accurate information about disability rights and technical assistance concerning the exercise of these rights.

Presenting Advocacy Need: Individuals with disabilities, their family members and advocates lack information about disability rights, as well as the methods and processes by which these rights can be effectively exercised. This priority focuses on the IPAS' response to individuals who contact the agency.

Objectives:

401 Provide accurate information about disability rights and assistance concerning the exercise of these rights.

PART VI. NARRATIVE:

At a minimum, you must include all of the information requested. You may include any other information, not otherwise collected on this reporting form that would be helpful in describing the extent of PAIR activities during the prior fiscal year. Please limit the narrative portion of this report, including attachments, to 20 pages or less.

The narrative should contain the following information. The instructions for this form outline the information that should be contained in each section.

- A. Sources of funds received and expended
- B. Budget for the fiscal year covered by this report

- C. Description of PAIR staff (duties and person-years)
- D. Involvement with advisory boards (if any)
- E. Grievances filed under the grievance procedure
- F. Coordination with the Client Assistance Program (CAP) and the State long-term care program, if these programs are not part of the P&A agency

A. Sources of funds received and expended:

The PAIR grant is the sole source of funds received and expended for the PAIR program activities.

B. Budget for the fiscal year covered by this report:

Category Grant Year 08 Projected Budget 09

WAGES AND SALARIES \$172,601 \$135,390
 FRINGE SERVICES \$73,935 \$57,995
 CONTRACTS/AGREEMENTS \$15,234 \$11,950
 MATERIALS/SUPPLIES \$3,939 \$3,090
 EQUIPMENT \$2,109 \$1,654
 OTHER (Work. Comp.) \$83,457 \$65,465
 TRAVEL \$7,523 \$5,901
 INDIRECT COSTS \$1,803 \$1,414
 CONSTRUCTION 0 0
 TOTAL BUDGET \$360,601 \$282,859

ESTIMATED CARRYOVER 08 grant: \$16,340

C. Description of PAIR staff (duties and person-years):

IPAS has thirty staff members. IPAS administers eight federally funded advocacy programs: the PAIR program, Protection and Advocacy for Individuals with Developmental Disabilities (PADD), Protection and Advocacy for Individuals with Mental Illness (PAIMI), the Client Assistance Program (CAP), Protection and Advocacy for Assistive Technology (PAAT), Protection and Advocacy for Beneficiaries of Social Security (PABSS), Protection and Advocacy for Traumatic Brain Injury (PATBI), and Protection and Advocacy for Voting Accessibility (PAVA). All staff work under the various programs, including the PAIR program. Staff are required to closely track their work activities under each program. Bi-weekly, each staff member accounts for the amount of time spent in each program. This accounting is used to determine the portion of each staff member's salary and benefits paid by each of the federal programs for that bi-weekly pay period. This cost allocation approach assures that each funding source supports only those activities and expenses which are authorized under that source's legislation and regulations.

The entire IPAS staff:

- 1 Executive Director
- 1 Director of Legal and Client Services
- 1 Support Services Director
- 3 Staff Attorneys
- 3 Assistant Client Services Directors
- 12 Regional Advocates
- 2 Intake Specialists
- 1 Information and Technology Specialist
- 1 Education and Training Coordinator
- 1 Fiscal Officer
- 1 Executive Secretary
- 1 Data Entry Clerk
- 1 Receptionist/Secretary

1 Account Clerk

IPAS staff worked in the PAIR program to the extent equaling 3.9 full time positions this grant year.

D. Involvement with advisory boards (if any):

IPAS is represented by staff serving on the following:

ADA State Steering Committee

E. Grievances filed under the grievance procedure:

None

F. Coordination with the Client Assistance Program (CAP) and the State long-term care program, if these programs are not part of the P&A agency:

CAP is also administered by IPAS. The State long-term care program is administered by the Indiana Family and Social Services Administration, Division of Disability, Aging and Rehabilitation Services. IPAS has an on-going arrangement with the administering agency based on a prior written agreement, which defined coordination and referrals between all IPAS programs and the State long-term care ombudsman program.

Signed?	Yes
Signed By	Debra J. Dial
Title	Staff Attorney/PAIR Coordinator
Signed Date	12/29/2008
Updated By	paindiald
Date Last Changed	Dec 29 2008 12:15PM

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